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EXAMINER

CRANFORD, MICHAEL D

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3695

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/584,223	Applicant(s) SUGINAKA, JUNKO	
	Examiner MICHAEL D. CRANFORD	Art Unit 3695	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/20/10.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6 and 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/23/06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the amendment filed on 20 October 2010.
2. Claims 1 and 4 have been amended.
3. Claims 1, 2, 4-6 and 8 are currently pending and have been examined.
4. The rejections of claims 1, 2, 4-6 and 8 have been updated to reflect the amendments.
5. This action is **final**.

Response to Arguments

Applicant's arguments received on 20 October 2010 have been fully considered but they are not persuasive. Referring to the previous Office action, Examiner has cited relevant portions of the references as a means to illustrate the systems as taught by the prior art. As a means of providing further clarification as to what is taught by the references used in the first Office action, Examiner has expanded the teachings for comprehensibility while maintaining the same grounds of rejection of the claims, except as noted above in the section labeled "Status of Claims." This information is intended to assist in illuminating the teachings of the references while providing evidence that establishes further support for the rejections of the claims.

With regard to the limitations of claims 1, 2, 4-6 and 8, Applicant argues that the Norris alone or in combination with Pitroda fails to disclose the following: a non-contact manner of communication, as required in claims 1 and 4; utilization of a short-distance information means included in the personal information storage device 1 for radio communication between the personal information storage means and the mobile terminal, as shown in FIG. 1 of the instant application; personal information storage device is integrated with something that a user wears; electronic "money increase means" and an "electronic money increase signal" transmitted from the personal information storage device by the short-distance communication means.

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Examiner argues that Norris alone and in combination with Pitroda discloses all of the claimed elements found in Applicant's invention. The following limitations are found in Norris: **a non-contact manner of communication** (ABSTRACT, FIGS. 1-3). Norris discloses a kiosk which has a method and apparatus for closed loop, automatic processing of typical financial transactions, including loans, setting up checking, savings and individual retirement accounts, obtaining cashier's checks, ordering additional checks, issuing credit and debit cards, wire transferring money, and so on. The transactions are provided from a kiosk and controlled by a computer controller interacting with the consumer. In the case of loans, a computer controller helps the consumer in the completion of the application, performs the underwriting, and transfers funds. The computer controller obtains the information needed to process the application, determines whether to approve the loan, effects electronic fund transfers to the applicant's deposit account and arranges for automatic withdrawals to repay the loan. The computer controller reviews documentation requirements including consumer lending and other required documentation with the consumer and obtains acknowledgment of acceptance of terms by having the consumer sign an electronic signature pad. Copies of documents with a digital photograph are printed out by a printer in the kiosk for the consumer. Finally, the kiosk has the capability of imprinting a credit or debit card in response to a consumer request. Applicant also discloses invention might include a kiosk. Kiosk also has stored information that the user has provided. Information is transmitted wireless to other supporting systems. This transmission is done via signal (radio) and or wave frequency. Pitroda discloses a system in which such items as smart cards are utilized. Applicant states that **electronic facility 101 corresponds more closely to the mobile terminal rather than to the information storage means which can be "integrated with something a user wears**. Examiner explains that the kiosk which is a mobile terminal addresses this limitation. Examiner respectfully maintains rejections based on the information provided.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
7. Claims 1-2, 4-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris (US 6,105,007 - herein referred to as Norris) in view of Pitroda et al. (US PGP 2007/0198432 A1 – herein referred to as Pitroda).

8. **Claim 1:**

Norris shown, discloses the following limitations:

- *information storage means for storing personal information and electronic money information* (see at least column 8 lines 24-41)
- *short-distance communication means for making short-distance radio communications in a noncontact manner* (see at least column 3 lines 10-27)
- *pair relationship establishment means for receiving a pair relationship establishment request signal from a mobile terminal by said short-distance communication means and transmitting personal identification information to said mobile terminal by said short-distance communication means* (see at least column 2 lines 37-48)

Norris does not expressly disclose ***information providing control means for receiving electronic money information from a financial institution terminal by said short-distance communication means to be deposited with electronic money and transmitting said electronic money information by said short-distance communication means to a mobile terminal with which said pair relationship has been established to make the mobile***

terminal pay with electronic money, wherein said personal information storage device is integrated with something that a user wears.

However, Pitroda does disclose alternatively, the display 103 portion of the electronic facility 101 may be embodied in a remote device. For example, the electronic facility 101 may further comprise a Web server to which a PC-based Web browser may connect. Displayed on the browser may be the visual interface of the electronic facility 101. Thus in certain embodiments, there is no physical size restriction on the electronic facility 101, as it would only provide the content to be displayed on the display 103, rather than the physical display itself. Here, technology comprising the electronic facility 101 could be embedded in a ring, bracelet, pendant, shoe, eyeglass rim, barrette, or any other personal item that the user may wear.([0316]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Norris and Pitroda with the practitioners own knowledge in order to disclose *information providing control means for receiving electronic money information from a financial institution terminal by said short-distance communication means to be deposited with electronic money and transmitting said electronic money information by said short-distance communication means to a mobile terminal with which said pair relationship has been established* to make the mobile terminal pay with electronic money, *wherein said personal information storage device is integrated with something that a user wears*, motivated by motivated by automatic financial account processing system and transactional services because this provides a way of wearing personal identification information.

9. Claim 2:

Norris shown, discloses the following limitations:

- *information providing control means receives an electronic money increase request signal of a predetermined designated amount of money from said mobile terminal by said short-distance communication means* (see at least column 16 lines 65-66)

- *transmits an electronic money increase signal of said designated amount of money to a mobile terminal by said short-distance communication means (see at least column 2 lines 37-48)*

10. Claim 4:

Norris shown, discloses the following limitations:

- *short-distance communication means for making short-distance radio communications in a noncontact manner (see at least column 3 lines 10-27)*
- *user setting means for setting and storing personal information including electronic money information by receiving it by said short-distance communication means from said personal information storage device registered as having the pair relationship (see at least column 2 lines 37-48)*
- *use permission means for transmitting a use permission request signal to a personal information storage device set as having the pair relationship by said short-distance communication means, receiving a use permission signal from said personal information storage device by said short-distance communication means, and making this mobile terminal available to pay with electronic money (see at least column 2 lines 37-48)*

Norris does not expressly disclose ***pair registration means for transmitting a pair relationship establishment request signal to a personal information storage device by said short-distance communication means, said personal information storage device is integrated with something that a user wears receiving personal identification information from said personal information storage device by said short-distance communication means, and registering said personal information storage device as having a pair relationship.***

However, Pitroda does disclose alternatively, the display 103 portion of the electronic facility 101 may be embodied in a remote device. For example, the electronic facility 101 may further comprise a Web server to which a PC-based Web browser may connect. Displayed on the

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browser may be the visual interface of the electronic facility 101. Thus in certain embodiments, there is no physical size restriction on the electronic facility 101, as it would only provide the content to be displayed on the display 103, rather than the physical display itself. Here, technology comprising the electronic facility 101 could be embedded in a ring, bracelet, pendant, shoe, eyeglass rim, barrette, or any other personal item that the user may wear.([0316]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Norris and Pitroda with the practitioners own knowledge in order to disclose *pair registration means for transmitting a pair relationship establishment request signal to a personal information storage device by said short-distance communication means, said personal information storage device is integrated with something that a user wears receiving personal identification information from said personal information storage device by said short-distance communication means, and registering said personal information storage device as having a pair relationship*, motivated by automatic financial account processing system and transactional services because this provides a way of wearing personal identification information.

11. Claim 5:

Norris shown, discloses the following limitations:

- *electronic money increase means for designating a predetermined amount of money and transmits an electronic money increase request signal by said short-distance communication means to a personal information storage device set as having a pair relationship, receiving an electronic money increase signal of said designated amount of money from said personal information storage device by said short-distance communication means and stores it* (see at least column 16 lines 65-66)

12. Claim 6:

Norris shown, discloses the following limitations:

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- *pair registration means transmits a pair relationship establishment request signal addressed to an arbitrary personal information storage device, and said use permission means transmits a use permission request signal addressed to a specific personal information storage device (see at least column 2 lines 37-48)*

13. Claim 8:

Norris shown, discloses the following limitations:

- *pair registration means transmits a pair relationship establishment request signal addressed to an arbitrary personal information storage device, and said use permission means transmits a use permission request signal addressed to a specific personal information storage device (see at least column 2 lines 37-48)*

FINAL CONCLUSION

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

CONCLUSION

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Michael D. Cranford** whose telephone number is **571-270-3106**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Charles Kyle** can be reached at **571-272-6746**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov> >. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

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or faxed to **571-273-8300**.

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/ Michael Cranford / Examiner / Art Unit 3696 /
January 01, 2011

/Harish T Dass/
Primary Examiner, Art Unit 3695

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